

Doc Code: PET.OP
Document Description: Petition for Review by the Office of Petitions

PTO/SB/64 (07-09)
Approved for use through 07/31/2012. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)

First named inventor: Angel Palacios

Application No.: 10/599,384

Art Unit: 2165

Filed: September 27, 2006

Examiner: Vu, Bald

Title: Organiser for complex categorisations

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
FAX (571) 273-8300

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus any extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional

1. Petition Fee

☒ Small entity-fee \$ _____ (37 CFR 1.17(m)). Application claims small entity status. See 37 CFR 1.27.

☐ Other than small entity-fee \$ _____ (37 CFR 1.17(m))

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in the form of Corrected claim set (identify type of reply):

☐ has been filed previously on _____

☒ is enclosed herewith.

B. The issue fee and publication fee (if applicable) of \$ _____

☐ has been paid previously on _____

☐ is enclosed herewith.

(Page 1 of 2)

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

10/03/2011 LLANDGRA 00000029 10599384 If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

3. Terminal disclaimer with disclaimer fee

- ☐ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

Angel Palacios
Signature
Type or Printed name
Calle Mendez Alvaro 77, portal 4, piso 4B
Address
28045 Madrid, Spain
Address

September 25, 2011

Date

+34607575567
Registration Number, If applicable
Telephone Number

Enclosures:

- ☒ Fee Payment
- ☒ Reply
- ☐ Terminal Disclaimer Form
- ☐ Additional sheets containing statements establishing unintentional delay
- ☐ Other: _____

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

- ☐ Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

- ☒ Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300.

September 25, 2011
Date

Angel Palacios
Signature

Angel Palacios
Typed or printed name of person signing certificate

RECEIVED
CENTRAL FAX CENTER
SEP 26 2011

FAX

To: Office of Petitions
From: Angel Palacios
Date: September 25th, 2011
Fax Number: +15712738300
Number of pages: cover + 18
Subject: Petition to Withdraw Holding of Abandonment, Application No. 10/599,384

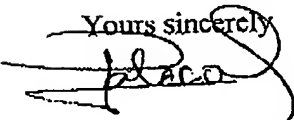
Sirs,

Please accept this Petition to Withdraw the Holding of Abandonment for Application No 10/599,384, mailed on 01/31/2011

In particular, you can find:

- Copy of Notice of Abandonment
 - Applicant's statement justifying Petition
 - Copy of fax receipt received in the fax machine from USPTO after submitting the response to original Notice
 - Copy of applicant's response to original Notice, as faxed on August 2nd, 2010.
- This includes: (a) copy of Notice received and (b) replay to the Notice received

Yours sincerely



---Angel Palacios



UNITED STATES PATENT AND TRADEMARK OFFICE

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 Commissioner for Patents
 United States Patent and Trademark Office
 P.O. Box 1450
 Alexandria, VA 22313-1450
 www.uspto.gov

 ANGEL PALACIOS
 MENDEZ ALVARO 77
 PORTAL 4 PISO 4B
 MADRID 28045 ES SPAIN

MAILED
JUL 25 2011
OFFICE OF PETITIONS

 In re Application of
 Angel Palacios
 Application No. 10/599,384
 Filed: September 27, 2006
 Attorney Docket No.

 :
 :
 : **DECISION ON PETITION**
 :
 :

This is a decision on the renewed petition, filed July 8, 2011, under 37 CFR 1.181 (no fee) requesting withdrawal of the holding of abandonment in the above-identified application.

The petition is **DISMISSED**.

Any request for reconsideration of this decision should be filed within two (2) months from the mail date of this decision. Note 37 CFR 1.181(f). The request for reconsideration should include a cover letter and be entitled as a "Renewed Petition under 37 CFR 1.181 to Withdraw the Holding of Abandonment."

This application was held abandoned for failure to reply to the Notice of Non-Compliant mailed July 13, 2010, which set a one (1) month or thirty (30) days period for reply. A Notice of Abandonment was mailed on January 31, 2011.

Petitioner states "My grounds for this renewed petition is that the facsimile transmission must have actually been received in the USPTO, given that I received a successful transmission receipt, which was enclosed in my former petition and is also hereby attached for reference."

In addition to 37 CFR § 1.8, petitioner is also directed to 37 CFR § 1.6(d) which states:

To facilitate proper processing, each transmission session should be limited to correspondence to be filed in a single application or other proceeding before the United States Patent and Trademark Office. The application number of a patent application, the control number of a reexamination proceeding, the interference number of an interference proceeding, or the patent number of a patent should be entered as a part of the sender's identification on a facsimile cover sheet.

Unfortunately, facsimile transmissions are not permitted. Further, the facsimile transmission receipt submitted with the petition on April 12, 2011 does not identify the application with an application number. There is no application number on the facsimile transmission receipt. Petitioner has also failed to submit a facsimile cover sheet, which should itemize each correspondence being facsimiled.

Petitioner is strongly encouraged to consider filing a petition under 37 CFR 1.137(b) to revive an unintentionally abandoned application instead of filing a renewed petition under 37 CFR 1.181 or a petition under 37 CFR 1.137(a).


Further correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop Petition
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

By FAX: (571) 273-8300
 Attn: Office of Petitions

By hand: Customer Service Window
 Randolph Building
 401 Dulany Street
 Alexandria, VA 22314

Telephone inquiries related to this decision may be directed to the undersigned at (571) 272-3210.


Irvin Dingle
Petition Examiner
Office of Petitions

Handwritten:
272 3282

**APPLICANT'S STATEMENT JUSTIFYING
PETITION TO REVIVE UNINTENTIONALLY ABANDONED APPLICATION
FOR APPLICATION 10/599,384**

Madrid September 25th, 2011

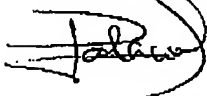
Dear Sirs,

The present application is currently abandoned. It became abandoned because, for some reason, the document I faxed to the USPTO was not received.

After two petitions to Withdraw the Holding of Abandonment, I received a notification advising me to file a petition to Revive an Unintentionally Abandoned Application.

Because of that, I am currently sending you said petition, and I kindly request that it be granted

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Angel Palacios', written over a horizontal line.

Angel Palacios